

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

PARKERSBURG DIVISION

FRANCISCO ALBERTO LOZANO-TORRES,

Petitioner/Movant,

v.

CIVIL ACTION NO. 6:03-2375
(Criminal No. 6:00-00262-02)

UNITED STATES OF AMERICA,

Respondent.


ORDER

This action was referred to the Honorable Maurice G. Taylor, Jr., United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and has recommended that the court **DENY** the Movant's Motion to Vacate, Set Aside and Correct Sentence, filed pursuant to § 2255.

The petitioner has objected to the Magistrate Judge's findings of fact and recommendation. I have reviewed these objections *de novo* and **FIND** that they have no merit. Therefore, the court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and orders judgment consistent with the findings and recommendations.

The court **DENIES** the Movant's Motion to Vacate, Set Aside and Correct Sentence [Docket 224], **DISMISSES** this action from the docket, and **DIRECTS** the Clerk to send a copy of this Order to Magistrate Judge Taylor, counsel of record and any unrepresented party.

ENTER: March 27, 2007


A handwritten signature in black ink, appearing to read "Joseph R. Goodwin", is written over a solid horizontal line.
JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE